



Chair Marty, Vice-Chair Frentz, Senator Pratt, and Members of the Senate Finance Committee:

I am writing on behalf of the Minnesota Building and Construction Trades Council and the over 70,000 union construction workers represented by our affiliated Unions to express our concern over proposed permitting changes in the Senate Environment Omnibus budget bill (SF 2438).

Minnesota Building Trades support efforts to advance environmental justice, and to ensure that all Minnesotans have access to economic opportunity and a healthy environment. Every day, thousands of union tradesmen and tradeswomen go to work on projects that make our communities cleaner and healthier – from environmental remediation to construction of clinics, schools, and water infrastructure.

Unfortunately, we believe that the cumulative impacts review proposal included in the omnibus bill leaves critical questions unanswered and would do more harm than good to the communities it is designed to serve. The provisions would impose strict rules that will result in substantial permitting delays, the denial of permits for large construction projects and the loss of existing permits for businesses and public facilities in the Twin Cities and Greater Minnesota.

We have not seen a list of communities or facilities impacted by proposed permitting changes, but we know that the numbers are large. Reports produced by the Legislative Budget Office indicate that anywhere a dozen and half new, modified, and reissued permits could be subject to cumulative impacts review each year based on the Senate proposal, resulting in an average estimated delay of six months and potentially many denials. The geography impacted by the proposals is also large, including much of the Twin Cities metropolitan area and dozens of communities in Northern Minnesota.

The Minnesota Building Trades does not oppose additional scrutiny for facilities located in places where low-income communities of color are already burdened by high levels of pollution. We do, however, oppose new rules that would delay and halt construction and operation of much-needed facilities in dozens – if not hundreds – of communities whose most significant environmental justice burden is not pollution, but a shortage of family-supporting jobs.

The current proposal is not targeted toward communities of color, which make up a small fraction of the cities and townships affected by the new rules. Nor is the proposal targeted toward environmental racism since the criteria for designating environmental justice areas makes no distinction between communities with clean air and water and others that are highly polluted. Finally, the proposal does not establish thresholds to

ensure that the rules focus on meaningful impacts or allow regulators to balance the positive and negative impacts of a proposed facility on residents.

We have recently witnessed high profile cases where significant planned investments were redirected to other states due to concerns over permitting delays and obstacles. Every one of these relocations took well-paid job opportunities away from families and communities that really need them. Legislation that makes the permitting process even more difficult and time-consuming could lead to more job losses and jeopardize the state's ability to capitalize on historic Federal investments in infrastructure and manufacturing through the Infrastructure Investment and Jobs Act, Inflation Reduction Act, and CHIPS and Science Act.

If the goal of the legislature is to better serve communities that face both socioeconomic and environmental burdens, we would encourage legislators to work with Building Trades unions and other stakeholders to develop a more targeted proposal to advance environmental justice in permitting. Minnesota Building Trades would be happy to participate in such an effort, and we believe that others would do the same, including local government leaders who have expressed concern about the impacts of the current proposal.

Sincerely,

Tom Dicklich
Executive Director